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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/616,758	07/10/2003	Dwayne Pass	P991794-02CT	2293
26376	7590	08/30/2004	EXAMINER	
DENNIS L. COOK, ESQ. 10004 MARATHON COURT SUITE 1700 TAMPA, FL 33615			WOO, ISAAC M	
			ART UNIT	PAPER NUMBER
			2172	

DATE MAILED: 08/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/616,758	Applicant(s) PASS, DWAYNE	
	Examiner Isaac M Woo	Art Unit 2172	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. the pending claims 1-5 are presented for examination.

Claim Objections

2. Claim objected to because of the following informalities:

Claim 1 recites, on line 12, and 20, the phrase "to interact ***like a person***" renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See MPEP § 2173.05(d). Claims 1 and 2 recite ",", the end of every claim limitation, in stead of --;--. And claim 1 on line 25, claim 2 on line 9, the "," after "and" is not necessary. Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Laursen (U.S. Patent No. 6,292,657, hereinafter, "Laursen") in view of Tabuki (U.S. Patent No. 5,706,427, hereinafter, "Tabuki").

With respect claim 1, Laursen discloses the two-way wireless device system (col.1, lines 5-16) adapted for interactive communications between a subscriber (106, FIG. 1 and col. 5, lines 5-13) and an on-line service (col.1, lines 26-40 and col.1, lines 16-22); wireless device, see (106, FIG.1 and col. 5, lines 5-13), wireless server, see (114, FIG. 1 and col. 5, lines 27-37), the wireless device and the wireless server being in communicating such that a message can be transmitted between the wireless device and the wireless server, see (col.2, lines 29-31), the message containing user information and request information, see (col. 9, lines 36-44 and col. 6, lines 62-65), on-line service, see (col. 1, lines 29-40), the on-line service using a web page for data input, see (col. 5, lines 39-56), the data input being automatically accomplished by the wireless server using agents, see (FIG. 2B and col. 43-45), the agents (the functions of web browser for exchanging information, which plays the same roles as agents, fig. 2B, col. 5, lines 39-64) being programmed to interact using the web page for data input of the request information to an on line service, see (FIG. 2B and col. 5, lines 39-57), database, see (FIG. 2A and col. 6, lines 40-43), the database capable of receiving and storing the request information and the user information sent from the server after being parsed from the message, see (col. 6, lines 56-65 and col. 10, lines 56-67 to col. 11, lines 1-10), the database containing authorized user

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information allowing authentication of users, see (col. 6, lines 62-65 and col. 10, lines 63-66), the agent (the functions of web browser for exchanging information, which plays the same roles as agents, FIG. 2B and col. 5, lines 39-57) being programmed to interact like a person using the web page for retrieving output data from the web page in response to data input from the agents in response to the request information and sending such output data in the form of an output message information to the database, see (col.5, lines 39-57), and the database capable of receiving and storing the output message information sent from the agents, see (col. 6, lines 37-67 to col.7, lines 1-20). Laursen does not explicitly disclose the database capable of comparing the user information sent from the server to the authorized user information stored in the database to authenticate users. However, Tabuki discloses, "The verification server maintains a database of valid authentication data, against which it compares and verifies the authentication data it receives from the user host. The verification result is sent to the application server, which authenticates the user based on the result", see (abstract). The application server judges whether the user host 20 is an authorized user, in effect consigning the verification process necessary for authentication to an external verification server 30. The verification server 30 saves the authentication data and identification data sent from the user host 20 and verifies this against valid authentication data. That is, the verification server 30 has an internal database with identification data and valid authentication data of user hosts 20. This database is searched to extract the valid authentication data (in the preferred embodiment, the instance of signature data is used) for the

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identity claimed by the user host 20. The extracted authentication data and the authentication data received from the application server 10 are compared, and the verification result is sent back to the application server 10 (indicated by "c" in FIG. 1), see (col. 4, lines 23-50). This teaches that database comparing user information to authenticate users. Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention was made to include the database capable of comparing the user information sent from the server to the authorized user information stored in the database to authenticate users in the system of Laursen. Because the comparing user information for authenticating user is a verification of the identity of a person or process. In a communication system, authentication verifies that messages really come from their stated source or user.

With respect claim 2, Laursen discloses the two-way wireless device system, interest information feed (requesting data), see (col.2, lines 54-57); interest information feed being a source of real time information regarding a subject of interest to users, see (col. 2, lines 28-30); database having the real time information automatically fed into database from the interest information feed, see (col. 2, lines 56-59); database capable of comparing the request information with the interest information stored in the database and creating storing an interest information output message, see (col. 2, lines 41-49); and database capable of retuning the interest information output message stored in

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the database to the wireless server for sending from the wireless server to the wireless device, see (col. 6, lines 43-67 to col. 7, lines 1-20).

5. Claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Laursen (U.S. Patent No. 6,292,657, hereinafter, "Laursen") in view of Tabuki (U.S. Patent No. 5,706,427, hereinafter, "Tabuki") and further in view of Scivier et al (U.S. Patent No. 6,092,111, hereinafter, "Scivier").

With respect claims 3-5, Laursen discloses the two-way wireless device system (col.1, lines 5-16), the wireless device is portable computer and mobile phone, see (col. 5, lines 5-20). Neither Laursen nor Tabuki does disclose that wireless device a pager. However, Scivier discloses the wireless device is a pager (col. 1, lines 10-25 and col. 4, lines 13-21). Neither Laursen nor Tabuki does disclose the wireless device using wireless email. However, Scivier discloses that wireless device uses the wireless email, see (col. 1, 5-30). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention to combine Laursen and Tabuki with the teaching of Scivier to include the wireless device are a pager, portable computer and mobile telephone and the wireless device using wireless email. One of ordinary skill in the art would have been motivated to modify Laursen and Tabuki with the teaching of Scivier that email is electronic message communication system based upon internet with physical-link access and communication protocol, such as, TCP/IP, however, wireless devices can access internet with wireless

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communication protocol, such as, Wireless Application Protocol (WAP) (e.g. Internet access from a mobile phone). Thus, the wireless device can access and, once accessed, can communicate with wireless email.

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Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isaac M Woo whose telephone number is (703) 305-0081. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on (703) 305-9790. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

IMW
August 20, 2004


SHAHID ALAM
PRIMARY EXAMINER